

ORDINANCE NO. 20091015-041

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2500 MONTOPOLIS DRIVE IN THE PLEASANT VALLEY NEIGHBORHOOD PLAN AREA FROM LIMITED INDUSTRIAL SERVICE-NEIGHBORHOOD PLAN (LI-NP) COMBINING DISTRICT TO PUBLIC-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (P-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from limited industrial service-neighborhood plan (LI-NP) combining district to public-conditional overlay-neighborhood plan (P-CO-NP) combining district on the property described in Zoning Case No. C14-2009-0018, on file at the Planning and Development Review Department, as follows:

A 12.343 acre tract of land, more or less, out of the Santiago Del Valle Grant Abstract No. 24, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 2500 Montopolis Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the public (P) base district, and other applicable requirements of the City Code.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

The following uses of the Property are prohibited uses:

Single family residential	Agricultural sales and services
Art gallery	Art workshop
Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Building maintenance services	Business or trade school

Business support services
 Construction sales and services
 Drop-off recycling collection facility
 Equipment sales
 Food preparation
 Funeral services
 General retail sales (general)
 Indoor entertainment
 Kennels
 Liquor sales
 Medical offices (exceeding 5000 sq. ft.
 of gross floor area)
 Monument retail sales
 Outdoor sports and recreation
 Personal improvement services
 Printing and publishing
 Recreational equipment sales
 Research warehousing services
 Restaurant (limited)
 Stables
 Veterinary services
 Custom manufacturing
 Resource extraction
 Camp
 Club or lodge
 Community recreation (private)
 Congregate living
 Day care services (commercial)
 Day care services (limited)
 Family home
 Group home, Class I (limited)
 Guidance services
 Hospital services (limited)
 Postal facilities
 Private secondary educational facilities
 Public secondary educational facilities
 Residential treatment

Campground
 Convenience storage
 Equipment repair services
 Exterminating services
 Food sales
 General retail sales (convenience)
 Hotel-motel
 Indoor sports and recreation
 Laundry services
 Marina
 Medical offices (not exceeding 5000
 sq. ft of gross floor area)
 Outdoor entertainment
 Pawn shop services
 Personal services
 Recreational equipment maintenance
 and storage
 Restaurant (general)
 Scrap and salvage
 Theater
 Basic industry
 Light manufacturing
 Aviation facilities
 Cemetery
 College and university facilities
 Community recreation (public)
 Convalescent services
 Day care services (general)
 Detention facilities
 Group home, Class I (general)
 Group home, Class II
 Hospital services (general)
 Military installations
 Private primary educational facilities
 Public primary educational facilities
 Railroad facilities

PART 4. The Property is subject to Ordinance No. 20061116-058 that established the Pleasant Valley neighborhood plan combining district.

PART 5. This ordinance takes effect on October 26, 2009.

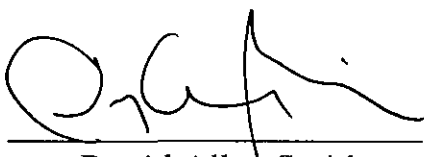
PASSED AND APPROVED

October 15, 2009

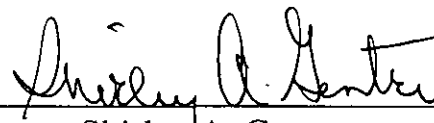
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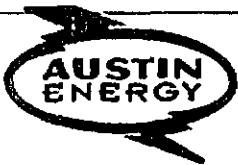

Lee Leffingwell
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Gentry
City Clerk



Tokyo Electron America, Inc.
To
City of Austin (Austin Energy)

EXHIBIT "A"

A 12.343 acre (537,674 sq. ft.) parcel of land located in the Santiago Del Valley Grant Abstract No. 24 in Travis County Texas and being out of and a part of that certain Lot 2-A, Block "A" of the Re-subdivision of Lot 1, Block "A" Marshall Hills Section One-C, a subdivision in said county according to the plat thereof recorded in Book 98, Page 287-288 of the Plat Records of Travis County Texas, said Lot 2-A being conveyed to Tokyo Electron America, Inc. in a Special Warranty Deed recorded in Volume 12484, Page 890 of the Real Property Records of Travis County, Texas. And being more particularly described by metes and bounds as follows:

COMMENCING at a Mag Nail found in the expansion joint of a driveway apron in the west right-of-way (r.o.w.) line of Grove Boulevard (90' r.o.w.), for the most easterly corner of Lot 1-A, Block "A" of said subdivision also conveyed to said Tokyo Electron America, Inc. and being the most northerly corner of said Lot 2-A, Block "A", from which for reference, a 1/2" iron rod found for the northwest common corner of said Lot 1-A and Lot 2-A bears South 69° 24' 38" East a distance of 670.88;

THENCE along the west r.o.w. line of said Grove Boulevard and the east line of said Lot 2-A, South 20° 35' 46" East a distance of 20.00 feet to a 1/2" iron rod set with aluminum cap stamped "C.O.A. Austin Energy" for the POINT OF BEGINNING of the herein described tract ;

THENCE continuing along the west r.o.w. line of said Grove Boulevard and the east line of said Lot 2-A the following two (2) courses and distances;

- 1) South 20° 35' 46" East a distance of 461.10 feet to a 1/2" iron rod found and for the beginning of a curve to the right;
- 2) Along said curve to right having a radius of 554.67 feet, an arc length of 469.25 feet and a chord of South 03° 40' 33" West 455.38 feet to a 1/2" iron rod found for a point-of-tangency on the west r.o.w line of Montopolis Drive (r.o.w. varies);

THENCE along the west r.o.w line of said Montopolis Drive and the southeast line of said Lot 2-A, South 27° 57' 20" West a distance of 221.34 feet to a concrete monument found stamped "B.P.I", for the most southerly corner of said Lot 2-A and for the most easterly corner of Lot 2, Block "C", Marshall Hills Section Two, a subdivision of record as recoded in Book 76, Page 279 of the Plat Records of Travis County, Texas as conveyed to the University of Texas Board of Regents in Volume 10559, Page 285 of the Real Property Records of said county and being the most southerly corner of the herein described tract;

THENCE departing the westerly r.o.w line of said Montopolis Drive, along the common line of said Lot 2-A, and said Lot 2, Block "C" North 62° 05' 59" West a distance of 805.00 feet to a 1/2" iron rod set with aluminum cap stamped "C.O.A. Austin Energy" for the most westerly corner of

the herein described tract, from which for reference, a ½" iron rod found for the west corner of said Lot 2-A bears North 62° 05' 59" West a distance of 186.59 feet;

THENCE through the interior of said Lot 2-A the following nine (9) courses and distances;

- 1) North 27° 54' 09" East a distance of 633.70 feet to an ½" iron rod set with aluminum cap stamped "C.O.A. Austin Energy";
- 2) North 69° 24' 38" East a distance of 93.53 feet to an ½" iron rod set with aluminum cap stamped "C.O.A. Austin Energy";
- 3) South 09° 43' 43" East a distance of 75.16 feet to an ½" iron rod set with aluminum cap stamped "C.O.A. Austin Energy";
- 4) South 63° 52' 00" East a distance of 199.37 feet to an ½" iron rod set with aluminum cap stamped "C.O.A. Austin Energy";
- 5) North 89° 09' 55" East a distance of 97.48 feet to an ½" iron rod set with aluminum cap stamped "C.O.A. Austin Energy";
- 6) North 05° 46' 22" West a distance of 96.20 feet to an ½" iron rod set with aluminum cap stamped "C.O.A. Austin Energy";
- 7) North 57° 48' 22" West a distance of 29.39 feet to an ½" iron rod set with aluminum cap stamped "C.O.A. Austin Energy" for the beginning of a non-tangent curve to the left;
- 8) Along said curve to left having a radius of 563.49 feet, an arc length of 137.11 feet and a chord of North 12° 47' 12" West, 136.77 feet to a ½" iron set with aluminum cap stamped "C.O.A. Austin Energy";
- 9) North 69° 24' 38" East a distance of 78.76 feet to the POINT OF BEGINNING and containing 12.343 acres (537,674 square feet) of land more or less.

Reference the attached sketch marked EXHIBIT B, for Bearing Basis.

I hereby certify that these field notes were prepared from a survey made on the ground under my supervision.

June 22, 2007

Marvin L. Gordey

Marvin L. Gordey
Registered Professional Land Surveyor No. 4920

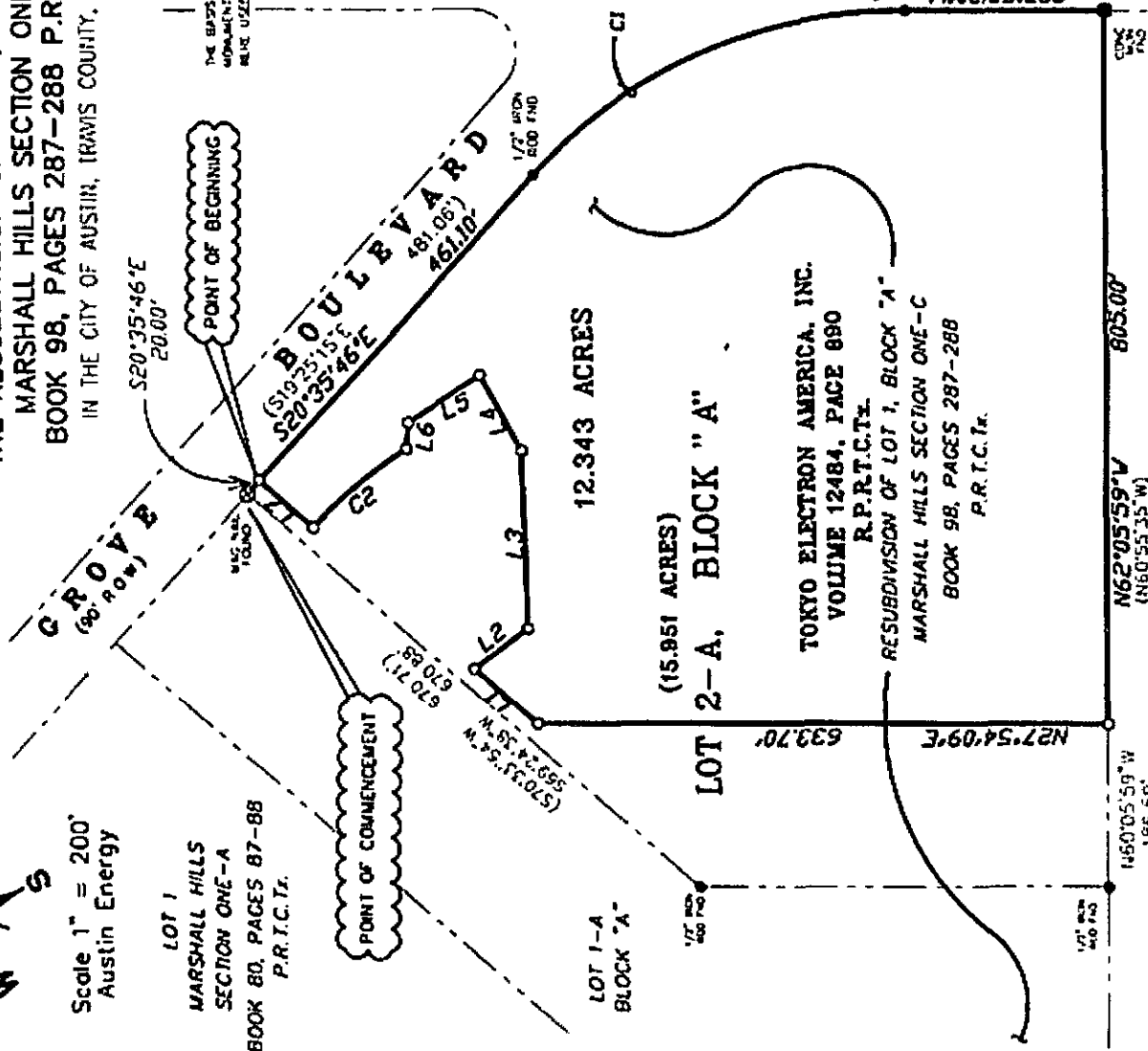


Prepared By: AUSTIN ENERGY

EXHIBIT "B"

SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION
OF A 12.343 ACRE TRACT BEING OUT OF AND A PART OF
THE RESUBDIVISION OF LOT 1, BLOCK "A",
MARSHALL HILLS SECTION ONE-C
BOOK 98, PAGES 287-288 P.R.T.C.Tx.
IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

Scale 1" = 200'
Austin Energy



THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83, MONUMENTS 204, 267 AND 289, AS ESTABLISHED AND MAINTAINED BY THE CITY OF AUSTIN ELECTRIC UTILITY DEPARTMENT. THESE USED AS THE CONTROLLING MONUMENTS FOR THIS SURVEY. COMBINED SCALE FACTOR = 0.99993275

LEGEND

- PROPERTY NOT FOUND (SIZE AND TYPE SHOWN HEREON)
 - 1/2" IRON ROD SET WITH ALUMINUM CAP
 - ⊙ CAP STAMPED CITY OF AUSTIN ELECTRIC DEPT
 - ⊙ MAG NAIL FOUND
 - CONCRETE MONUMENT FOUND
 - () RECORD INFORMATION
- P.R.T.C.T. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS

BEARING BASIS NOTE

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N69°24'38"E	93.53'
L2	S09°43'43"E	75.16'
L3	S63°52'00"E	199.37'
L4	N89°09'55"E	97.48'
L5	N05°46'22"W	96.20'
L6	N57°48'22"W	29.39'
L7	N69°24'38"E	78.76'

CURVE TABLE

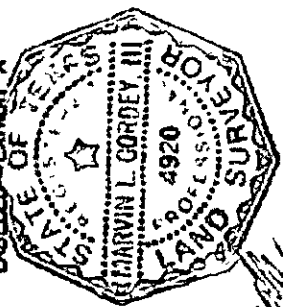
NUMBER	RADIUS	ARC	CH. BEARING	CHORD
C1	554.67'	469.25'	S03°40'33"W	455.98'
(C1)	(554.67')	(469.18')	(S03°49'09"W)	(455.32')
C2	563.49'	137.11'	N12°47'12"W	136.77'

June 22, 07
NOTE: REFERENCE METES AND BOUNDS DESCRIPTION LABELED "EXHIBIT A"

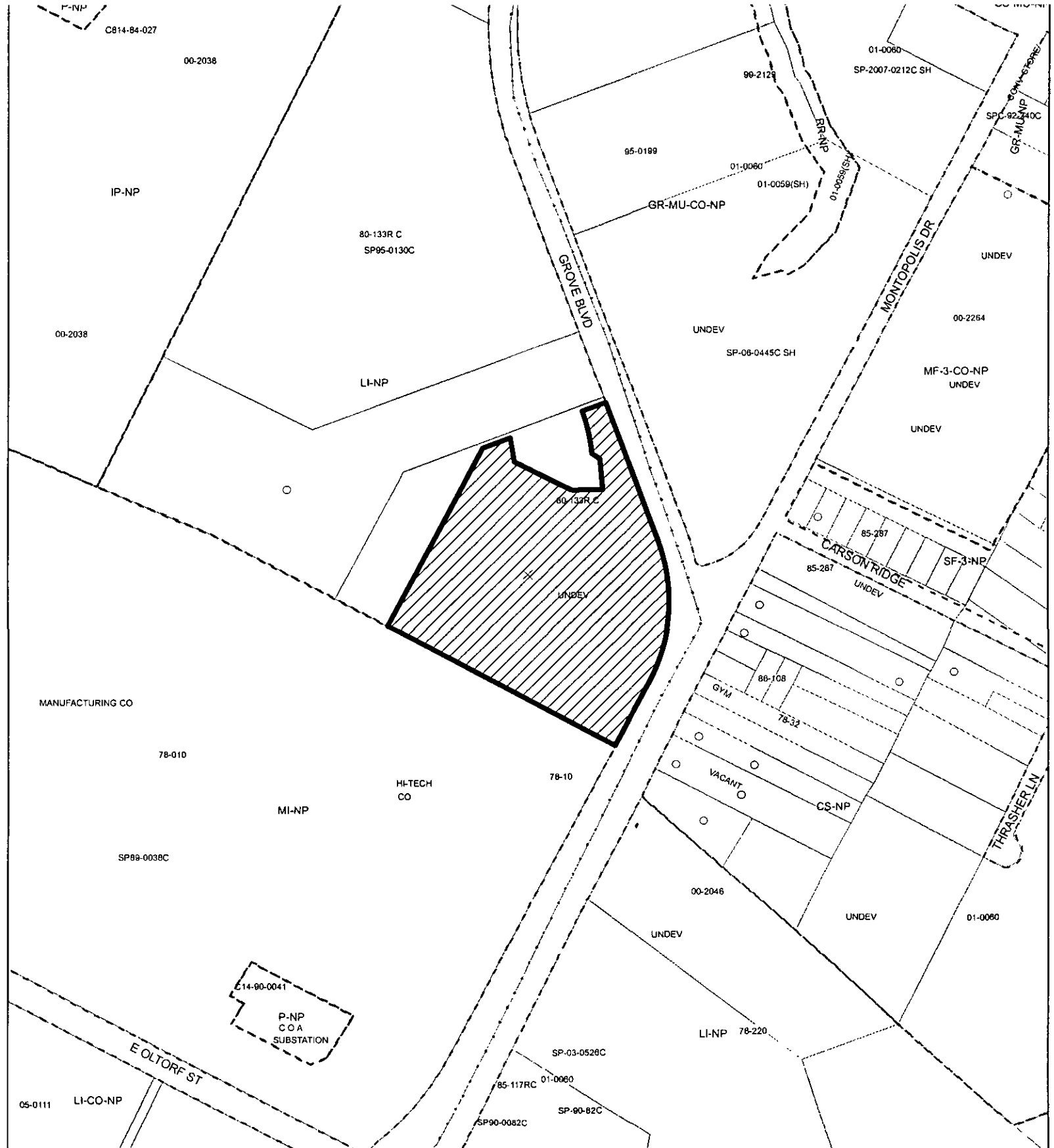





AS SURVEYED BY:
AUSTIN ENERGY

Marvin L. Gordy III
MARVIN L. GORDY III
REGISTERED PROFESSIONAL LAND SURVEYOR No. 4920
JUNE 15, 2007



THE UNIVERSITY OF TEXAS BOARD OF REGENTS
VOLUME 10553, PAGE 155, P.R.T.C.T.
LOT 2, BLOCK "C"
MARSHALL HILLS SECTION TWO
VOLUME 78, PAGE 279
P.R.T.C.T.

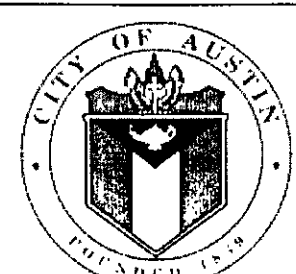


-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

OPERATOR: S. MEEKS

ZONING *EXHIBIT B*

ZONING CASE#: C14-2009-0018
ADDRESS: 2400 MONTOPOLIS DR
SUBJECT AREA: 12.343 ACRES
GRID: K18 & L18
MANAGER: W. RHOADES



1" = 400'

This map has been produced by GIS Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.